

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

LEIF SKOOGFORS,

Plaintiff,

v.

TOTAL HEALTH BY ELIZABETH, LLC,

Defendant.

Civil Action No. 16-CV-18-SS

DEFENDANT'S STATUS REPORT

Defendant Total Health By Elizabeth, LLC files this Status Report and Rule 56(f)(1) Motion and would respectfully show:

Plaintiff filed a Motion for Summary Judgment [Doc. 17], to which Defendant responded [Doc. 18], and in support of which Plaintiff filed a Reply [Doc. 19]. On December 28, 2016, the Court held a hearing on the Motion, at which time the parties were advised to conduct settlement negotiations and report back to the Court no later than January 12, 2017. Immediately after the hearing, Defendant offered to settle the case on the basis that both parties walk away from their respective claims for attorneys' fees, and that the case be dismissed with prejudice. A true and correct copy of Defendant's written letter conveying this is attached hereto as Exhibit A.

On January 9, 2017, counsel for both parties conferred, and Plaintiff indicated that he would not accept Defendant's offer. Through his counsel, he made a counter-offer, which was not acceptable to Defendant, so the case has not settled and apparently will not.

Respectfully submitted,

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By: /s/ Robert G. Hargrove
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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was submitted for service on the below-listed counsel of record, via the CM/ECF system, on this the 9th day of January, 2017.

By: /s/ Robert G. Hargrove
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